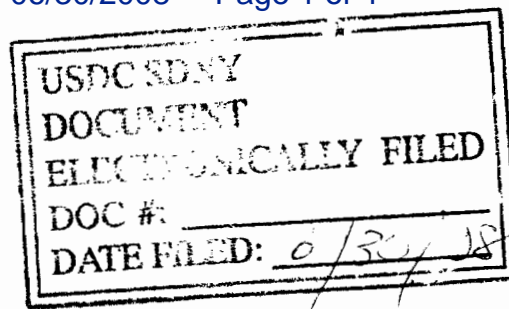


Patrick J. Maloney, Esq. (PM2115)
199 Kildare Road
Garden City, New York 11530
(516) 414-5405



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff

08 Civ. 3210 (SAS)(RLE)

-against-

SCHEDULING ORDER

FARA FARAMAND, UNDERWRITERS AT
LLOYD'S, and PATRICK J. MALONEY,
Defendants.

Conference Date: 6/27/2008

SHIRA A. SCHEINDLIN, U.S.D.J.

WHEREAS the Court issued an Order for a Conference in accordance with Fed.

R. Civ. P. 16(b) on May 14, 2008 and

WHEREAS, the Order requires that the parties jointly prepare and sign a
proposed scheduling order containing certain information;

NOW THEREFORE, the parties hereby submit the following information as
required by the Order:

(1) the date of the conference and the appearances of the parties: **June 27, 2008**

Appearances:

Plaintiff: United States by: John D. Clopper, Assistant United States Attorney

Defendant: Faramand by: Javier Solano, Esq.

Defendant: Underwriters No Appearance

Defendant: Maloney by: Patrick J. Maloney, Esq.

(2) a concise statement of the issues as they then appear:

This is an interpleader action to determine ownership of a painting entitled “Cristo Deriso” by the Italian artist Mirabello Cavalori. It is alleged that the painting was stolen from a gallery in Rome, Italy on or about October 4, 2004. The painting’s owner made a claim for the loss to Underwriters at Lloyd’s who paid the claim and took ownership rights to the painting if recovered. Underwriters subsequently assigned their ownership rights to defendant Maloney.

Defendant Faramand purchased the painting after October 4, 2004, and consigned the same to Christie’s. The painting’s theft was reported to Christie’s who removed it from auction. The United States, acting through the FBI took possession of the painting.

Since both Faramand and Maloney (as assignee of Underwriters) claim ownership, plaintiff commenced this interpleader to allow the court to determine ownership.

(3) a schedule including:

(a) the names of persons to be deposed and a schedule of planned depositions:

The parties have tentatively agreed to waive depositions. If any depositions become necessary, the parties will complete them by September 30, 2008.

(b) a schedule for production of documents:

The parties have agreed to produce documents as part of their automatic disclosure by June 30, 2008. Any additional documents will be produced by August 31, 2008.

(c) dates by which:

(i) expert reports will be exchanged: **The parties do not anticipate engaging experts.**

(ii) expert depositions: **The parties do not anticipate engaging experts.**

(d) the time for completion of discovery: **September 30, 2008**

(e) the date by which parties will exchange pre-trial order matters: **October 15, 2008.**

(f) the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions for a jury trial: **October 31, 2008.**

(g) the date of the final pre-trial conference will be TRIAL 11/7 at 11

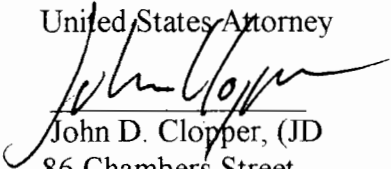
(4) a statement of any limitations to be placed on discovery, including any protective or confidentiality orders: **NONE.**

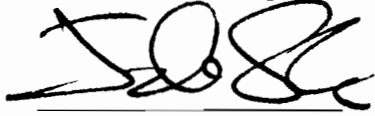
(5) a statement of those issues, if any, on which counsel, after a good faith effort were unable to reach an agreement: **NONE**

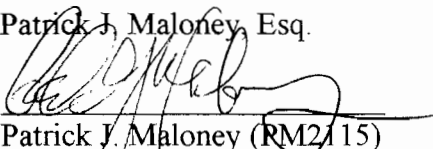
(6) anticipated fields of expert testimony, if any: **NONE**

(7) anticipated length of trial whether to court or jury: **1 day. The parties anticipate submitting the case to the court for a trial upon stipulated facts.**

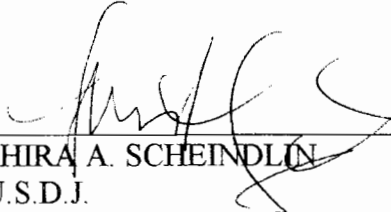
(8) This Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.

Michael A. Garcia
United States Attorney
By: 
John D. Clopper, (JD)
86 Chambers Street
New York, New York 10007
(212) 637-2716

Javier Solano, Esq..
By: 
Javier Solano (JS)
350 Fifth Avenue
New York, New York 10118

Patrick J. Maloney, Esq.
By: 
Patrick J. Maloney (RM2115)
199 Kildare Road
Garden City, New York 11530
(516) 428-2032

SO ORDERED:


SHIRA A. SCHEINDLIN
U.S.D.J.
6/27/08